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7 Attorneys for Defendant  
 8 T-MOBILE USA, INC.

9  
 10 UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA

11  
 12 STEPHEN PEOPLES,  
 13 Plaintiff,

14 v.  
 15 T-MOBILE USA INC.; DOES I-X and, ROE  
 Business Entities I-X,  
 16 Defendant.

Case No. 2:22-cv-01544-JAD-DJA

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO EXTEND DISCOVERY  
 DEADLINES**  
**(SEVENTH REQUEST)**

18 Pursuant to Local Rule IA 6-1 and Local Rule 26-3, Plaintiff STEPHEN PEOPLES  
 19 (“Plaintiff”), and Defendant T-MOBILE USA, INC. (“Defendant”) (collectively, the “Parties”)  
 20 stipulate to amend the Discovery Plan and Scheduling Order (ECF No. 32) by extending the  
 21 outstanding discovery deadlines for a period of sixty (60) days.

22 This is the seventh request for an extension to the Discovery Plan and Scheduling Order in  
 23 this matter. The requested extension is sought in good faith and not for purposes of delay. This  
 24 request is submitted at least twenty-one (21) days or more before the expiration of the subject  
 25 deadlines and is requested in order for the parties to complete remaining depositions that cannot be  
 26 completed by the current close of discovery.

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## **DISCOVERY COMPLETED**

The parties exchanged their initial disclosures and supplemented their disclosures. Requests for documents and written discovery were served and answered. The parties engaged in document production and Defendant took the deposition of the Plaintiff Stephen Peoples on August 24, 2023. The parties met and conferred multiple times to resolve various issues related to discovery. Defendant has issued and received responses to several third-party subpoenas. Defendant’s counsel has met and conferred with Plaintiff’s counsel regarding Plaintiff’s medical records and issued a third-party subpoena for additional relevant medical records and has now received a response. Defendant noticed a third-party deposition of NERC investigator Richard Brown however Plaintiffs’ counsel were not available on the requested date of that deposition and thus the parties are in the process of rescheduling that deposition.

Defendant has received additional medical records in response to a third-party subpoena. Defendant deposed a third-party witness, Plaintiff's doctor, on March 21, 2024. Plaintiff has issued deposition notices for former T-Mobile manager, Scott Chassereau to take place on April 10, 2024, in Las Vegas and a 30(b)(6) deposition notice to take place on April 11, 2024. Mr. Chassereau is unavailable on April 10th and the parties are in the process of discussing alternate dates. The parties also anticipate meeting and conferring on the proposed 30(b)(6) topics this week. Defendants are attempting to coordinate schedules to move other obligations to accommodate the 30(b)(6) deposition currently noticed for April 11, 2024, but have not yet been able to confirm that the deposition can proceed on that date.

## **DISCOVERY REMAINING TO BE COMPLETED**

22 Plaintiff will take the deposition of Scott Chassereau. Mr. Chassereau now resides in  
23 Mesquite, Nevada, and is not available for deposition in Las Vegas on April 10, 2024. Plaintiff will  
24 also take the 30(b)(6) deposition of T-Mobile. The parties will need to meet and confer on the  
25 proposed deposition topics which they anticipate doing in the next week and Defendants are  
26 working to coordinate schedules and move other obligations to accommodate the date Plaintiff has  
27 noticed this deposition of April 11, 2024, but have not yet been able to confirm that the deposition  
28 can proceed on that date.

1       Defendant previously noticed a third-party deposition of the NERC investigator who  
 2 investigated Plaintiff's charge of discrimination however Plaintiff's counsel was not available on  
 3 the previously requested date. Defendant has been working to accommodate re-scheduling this  
 4 deposition with NERC such that this third-party deposition will not be able to be completed in the  
 5 remaining discovery period.

#### **REASONS FOR REQUESTED EXTENSIONS**

7       This extension is necessary to allow the parties time to complete depositions. On March 7,  
 8 2024, Plaintiff served deposition notices to depose for former T-Mobile District Manager, Scott  
 9 Chassereau and the 30(b)(6) representative for T-Mobile to take place on April 10<sup>th</sup> and April 11<sup>th</sup>.  
 10 Such deposition notices requested alternative dates be proposed if the noticed dates were not  
 11 available. Mr. Chassereau was out of state and out of pocket handling a family issue and defense  
 12 counsel was unable to connect with him to discuss the April 10<sup>th</sup> deposition date and new proposed  
 13 location for the deposition until March 25, 2024. Mr. Chassereau lives in Mesquite, Nevada and  
 14 cannot travel to Las Vegas on April 10<sup>th</sup> for a deposition due to other prescheduled obligations.  
 15 Alternative dates have not yet been proposed but the parties are diligently working on coordinating  
 16 dates and times for this deposition and believe it can be completed in May. Based on Mr.  
 17 Chassereau's availability and the availability of defense counsel, coupled with Plaintiff's counsel  
 18 noticing the deposition to take place in Las Vegas, the deposition cannot be completed by the  
 19 current April 16th close of discovery. The parties also need to meet and confer on the proposed  
 20 30(b)(6) deposition topics which they plan to do in the next week and Defendants are working to  
 21 coordinate schedules and move other obligations to accommodate the date Plaintiff has noticed this  
 22 deposition of April 11, 2024, however do not yet have confirmation that the April 11, 2024 date  
 23 can work.

24       Defendant also previously noticed a third-party deposition of the NERC investigator who  
 25 investigated Plaintiff's charge of discrimination however Plaintiff's counsel was not available on  
 26 the requested date and had only limited dates available in the remaining discovery period to  
 27 complete this deposition before the close of discovery. Defendant has been working to  
 28 accommodate re-scheduling this deposition with NERC however in the midst of trying to re-

1 schedule, NERC's prior counsel obtained a new position and NERC only recently has been  
 2 assigned new counsel such that this third-party deposition will not be able to be completed in the  
 3 remaining discovery period.

4 Thus, due to scheduling conflicts among the parties as well as third party witnesses that the  
 5 parties do not have control over, good cause exists to extend the discovery period.  
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7 **PROPOSED REVISED DISCOVERY PLAN**

EVENT	CURRENT DEADLINE	NEW DEADLINE
Discovery Cut-Off Date	April 16, 2024	June 17, 2024
Dispositive Motions	May 16, 2024	July 17, 2024
Joint Pre-Trial Order	June 17, 2024, or 30 days after resolution of dispositive motions	August 16, 2024, or 30 days after resolution of dispositive

14 The Parties make this stipulation in good faith and not for the purposes of delay.  
 15  
 Dated: March 26, 2024  
 16

17 /s/ *Ruthann Devereaux-Gonzales, Esq.*

18 LEON GREENBERG, ESQ.

19 RUTHANN DEVEREAUX-GONZALES, ESQ.

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21 KEMP & KEMP, ATTORNEYS AT LAW

22 *Attorneys for Plaintiff*

STEPHEN PEOPLES

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*Attorneys for Defendant*  
T-MOBILE USA, INC.

24 **IT IS SO ORDERED.**

26 Dated: 3/27/2024

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UNITED STATES MAGISTRATE JUDGE

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